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14 CONCRETE DEMO WORKS INC. AND
EDSON FERNANDO FLORES

15 UNITED STATES DISTRICT COURT
16 FOR NORTHERN DISTRICT OF CALIFORNIA

17
18 LUIS ALDAMA ESPINOZA,

19 Plaintiff,

20
21 v.

22 CONCRETE DEMO WORKS INC. and
23 EDSON FERNANDO FLORES,

24 Defendants

Case No.: 5:15-cv-01850-NC

**STIPULATION AND ORDER TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

1 WHEREAS, Plaintiff, LUIS ALDAMA ESPINOZA, filed a Complaint in the above-
2 captioned case against Defendants, CONCRETE DEMO WORKS INC. and EDSON
3 FERNANDO FLORES (herein collectively "Defendants") on April 24, 2015 [Dkt. No. 1];

4 WHEREAS, Defendant CONCRETE DEMO WORKS INC. was served on June 5, 2015
5 [Dkt. No. 9];

6 WHEREAS, the Initial Case Management Conference is set for August 5, 2015, and was
7 continued at first to September 9, 2015 [Dkt. No. 11] and later to October 14, 2015 [Dkt. 14];

8 WHEREAS, Defendants now have counsel John DiNapoli of DINAPOLI & SIBLEY;

9 WHEREAS Plaintiff has consented to a Magistrate [Dkt. 8];

10 WHEREAS Defendants are in the process of filing an Answer and filing a Magistrate
11 Consent or Declination;

12 WHEREAS the parties have begun to draft a Joint Case Management Conference and
13 have begun to meet and confer over Rule 26 obligations;

14 WHEREAS the parties would like a short continuance of the Case Management
15 Conference of two weeks to finish meeting and conferring, confer about ADR elections and to be
16 better prepared to exchange Initial Disclosures and participate in the Initial Case Management
17 Conference.
18

19 THEREFORE, IT IS STIPULATED, by and between Plaintiff and Defendants, the initial
20 deadlines may be modified as follows:

21 (1) October 20, 2015 shall be the last day to:

- 22 • meet and confer re: initial disclosures, early settlement, ADR process selection, and
- 23 discovery plans;
- 24 • file ADR Certification signed by Parties and Counsel
- 25 • file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

26 (2) October 27, 2015 shall be the last day to:

- 27 • File Rule 26(f) Report,
- 28 • complete initial disclosures or state objection in Rule 26(f) Report and
- file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement

(3) The Initial Case Management Conference will be set for October 28, 2015 in Courtroom 7, 4th Floor, San Jose, at 10:00 AM.

Dated: October 12, 2015

By: _____//s// Tomas Margain_____
Tomas E. Margain

Dated: October 12, 2015

By: _____//s// John DiNapoli_____
John DiNapoli

~~PROPOSED~~ **ORDER GRANTING MOTION TO CONTINUE AND EXTENSION OF TIME TO RESPOND**

Based on good cause the Court hereby modifies and continues the initial Deadlines as follows:

(1) October 20, 2015 shall be the last day to:

- meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plans;
- file ADR Certification signed by Parties and Counsel
- file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

(2) October 27, 2015 shall be the last day to:

- File Rule 26(f) Report,
- complete initial disclosures or state objection in Rule 26(f) Report and
- file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement

(3) The Initial Case Management Conference will be set for October 28, 2015 in Courtroom 7, 4th Floor, SJ at 10:00 AM.

The Court also grants Defendants an extension to respond to the Complaint with a Magistrate Consent or Declination to October 14, 2015.

IT IS SO ORDERED.

Dated: October 12, 2015

